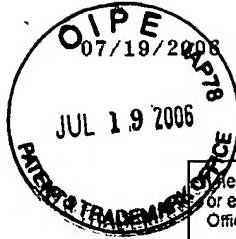


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Docket No.: 06733/0200031-US0  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Ing-Chun Chen

Issued: November 9, 2004

Application No.: 10/658,026

Confirmation No.: 4048

Filed: September 9, 2003

Art Unit: 3711

For: BOOMERANG FOR SPORT

Examiner: S. B. Wong

### REQUEST FOR REFUND OF PUBLICATION FEE

MS Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant received a Notice of Allowance and Fees Due (a copy of page 1 is attached) for the above-captioned application, mailed on July 28, 2004. The total fees due as stated in the Notice of Allowance is \$965.00. The sum specified in the Notice of Allowance includes the issue fee and publication fee. However, since the application was issued as a patent on November 9, 2004, within 18 months from the earliest filing date of September 9, 2003, this application is NOT subject to the publication fee. Applicant respectfully requests a refund of the publication fee of \$300.00. The fee was paid on October 1, 2004 with Applicants Check No. 6299. A copy of Applicants check is attached herewith.

This basis for non-publication is expressed in 37 C.F.R. 1.211(a)(3), namely, no publication is warranted when “[t]he application has issued as a patent in sufficient time to be removed from the publication process.”

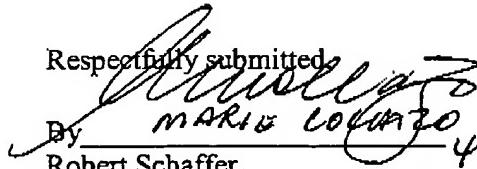
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The Patent Office is respectfully requested to credit the \$300.00 publication fee to our  
Deposit Account No. 04-0100.

Dated: July 19, 2006

Respectfully submitted,

By

  
Robert Schaffer

48685

Registration No.: 31,194

DARBY & DARBY P.C.

P.O. Box 5257

New York, New York 10150-5257

(212) 527-7700

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Attorneys/Agents For Applicant

{W:\06733\0020031US0\00802608.DOC [REDACTED] }



## FAX TRANSMISSION

DATE: July 19, 2006

PTO IDENTIFIER: Application Number 10/658,026-Conf. #4048  
Patent Number 6,814,679

Inventor: Ing-Chun Chen

MESSAGE TO: Office of Patent Publication

FAX NUMBER: (571) 273-2885

FROM: DARBY & DARBY P.C.

Robert Schaffer

PHONE: (212) 527-7700

Attorney Dkt. #: 06733/0200031-US0

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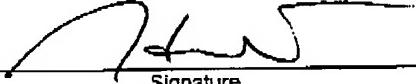
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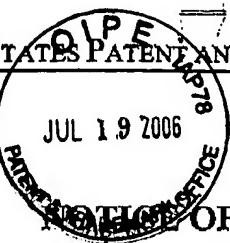
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NEW YORK, NY 10150-5257

07/28/2004

DUE: October 28, 2004  
Docketed on 8/6/04 by BWL for  
Docketed without file   
Attorney (RD)

EXAMINER

WONG, STEVEN B

ART UNIT

PAPER NUMBER

3711

DATE MAILED: 07/28/2004

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/658,026	09/09/2003	Ing-Chun Chen	06733/0200031-US0	4048

TITLE OF INVENTION: BOOMERANG FOR SPORT

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES ✓	\$665	\$300	\$965	10/28/2004

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTCL-8SB (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

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Applicant : Ing-Chun Chen  
Serial No. : 10/658,026  
Filed: 09/09/03  
For : BOOMERANG FOR SPORT

Attorney : Raffaele A. DeMarco  
File No. : 067330200031us0

Mailed : 10/1/04 Mailer: B.W. Lee

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